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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/044,457

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John David Russell

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EXAMINER

PITARO, RYAN F

ART UNIT

PAPER NUMBER

2174

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/044,457	<b>Applicant(s)</b> RUSSELL, JOHN DAVID	
	<b>Examiner</b> RYAN F. PITARO	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1,2-14, 16-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-26 have been examined.

### ***Response to Amendment***

2. This communication is in response to Amendment G filed 2/13/2008. Claims 1,11,14, and 24 are independent claims. Claims 2 and 15 have been cancelled. Claims 1,3-14,16-26 have been amended.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,3-8,14,16-22,24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable by Englefield ("Englefield", US 5,896,491) in view of Martin et al ("Martin", US 6,272,484).

As per independent claim 1, Englefield discloses a computer implemented method of depicting a plurality of items and how said plurality of items satisfy multiple criteria, the method comprising the computer-implemented steps of: generating a display of a list of visual indicators in a particular order (Figure 3a, wherein the data is in order according to date), wherein the particular order indicates how a plurality of items satisfy a first criteria (Figure 3a, dates ranging from 1/31/94 to 12/31/94 in ascending order); detecting input indicating the selection of a second criteria (Column 14 lines 38-56); in response to detecting said input, determining how said plurality of items satisfy the second criteria (Column 15 lines 28-43); and while retaining list of visual indicators in said particular order within said display, displaying a visual indication of how said plurality of items satisfy the second criteria (Figure 3d, Column 15 lines 28-43).

Englefield fails to teach a browser receiving a self-contained page; which does not have to interact over a network with a server. However, Martin teaches a browser receiving a self-contained page, and does not have to interact over a network with a server (Column 9 lines 10-38, Column 8 lines 17-42). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Martin with the method of Englefield. Motivation to do so would have been to provide a way to review a url without having to go online and access the Internet.

As per claim 3, which is dependent on claim 2, Englefield-Martin discloses a method wherein the step of the browser receiving the self-contained page includes the

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browser receiving the self-contained page over the network from the server (Martin, Column 9 lines 22-38).

As per claim 4, which is dependent on claim 2, Englefield-Martin discloses a method wherein the step of the browser receiving the self-contained page includes said browser causing said self-contained page to be read from removable computer-media (Martin, Column 9 lines 22-38).

As per claim 5, which is dependent on claim 1, Englefield-Martin discloses a method wherein the step of displaying a visual indication includes displaying one or more other visual indicators visually associated with a subset of items that satisfy said second criteria (Englefield, Figure 3d, Column 15 lines 28-43, colors).

As per claim 6, which is dependent on claim 1, Englefield-Martin discloses a method wherein the step of displaying a visual indication includes altering the visual appearance of one or more visual indicators from said list of visual indicators (Englefield, Figure 3d, Column 15 lines 28-43, colors).

As per claim 7, which is dependent on claim 1, Englefield-Martin discloses a method wherein said first criteria is based on an alphabetic order of names associated

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with said plurality of items, and the particular order of the list of visual indicators indicates the alphabetic order of the name of the items (Englefield, Figure 3a, numerical and alphabetical ordering are equivocal in terms of functionality).

As per claim 8, which is dependent on claim 1, Englefield-Martin discloses a method wherein the step of detecting input indicating the selection of a second criteria includes detecting input selecting a particular category of a plurality of categories; and the step of displaying a visual indication of how said plurality of items satisfy a second criteria includes displaying a visual indication of which items of said plurality of items belong to said particular category (Englefield, Column 14 lines 38-56, Column 15 lines 28-43).

Claim 14 is similar in scope to that of claim 1, and is therefore rejected under similar rationale.

Claim 16 is similar in scope to that of claim 3, and is therefore rejected under similar rationale.

Claim 17 is similar in scope to that of claim 4, and is therefore rejected under similar rationale.

Claim 18 is similar in scope to that of claim 5, and is therefore rejected under similar rationale.

Claim 19 is similar in scope to that of claim 6, and is therefore rejected under similar rationale.

Claim 20 is similar in scope to that of claim 7, and is therefore rejected under similar rationale.

Claim 21 is similar in scope to that of claim 8, and is therefore rejected under similar rationale.

Claim 22 is similar in scope to that of claim 9, and is therefore rejected under similar rationale.

Claim 24 is similar in scope to that of claim 11, and is therefore rejected under similar rationale.

Claim 25 is similar in scope to that of claim 12, and is therefore rejected under similar rationale.

Claim 26 is similar in scope to that of claim 13, and is therefore rejected under similar rationale.

5. Claims 9-13,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Englefield ("Englefield", US 5,896,491) in view of Martin et al ("Martin", US 6,272,484) in view of Hollander et al ("Hollander", US 2002/0023004).

As per claim 9, which is dependent on claim 8, Englefield-Martin fails to distinctly point out a list box including categories. However, Hollander discloses a method wherein said step of detecting input selecting a particular category includes detecting

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that a user has selected said particular category as a selection in a list box listing said plurality of categories as selections ([80] sort order drop down list). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Hollander with the method of Englefield. Motivation to do so would have been to provide an easy and organized way to choose a sort category.

As per claim 10, which is dependent on claim 1, Englefield-Martin-Hollander fails to distinctly point out a third criteria. However adding a third criteria would have been an obvious variation and would yield predictable results. Hollander uses at least 3 different criteria [0081]. Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching with the method of Englefield. Motivation to do so would have been to provide a distinct way of indicating yet meeting another different criteria.

Claim 11 is similar in scope to that of claim 10, and is therefore rejected under similar rationale.

As per claim 12, which is dependent on claim 11, Englefield-Martin-Hollander discloses the steps further include issuing a query to a database system that stores information about said plurality of items (Englefield, Column 4 lines 43-64), wherein said query requests data that may be used to determine which set of items of said plurality of items satisfy a first criterion of said plurality of criteria (Englefield, Column 14 lines 38-56, Column 15 lines 28-43; receiving results of the query from the database system;



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and wherein the step of generating third page elements is based on an examination of the results (Englefield, Column 14 lines 38-56, Column 15 lines 28-43).

As per claim 13, which is dependent on claim 11, Englefield-Martin-Hollander discloses a method including performing an examination of contents of said plurality of items to determine which of said plurality of elements satisfy a particular criteria of said plurality of criteria (Englefield, Column 14 lines 38-56, Column 15 lines 28-43); wherein the step of generating third page elements is based on said examination of the contents (Englefield, Column 14 lines 38-56, Column 15 lines 28-43).

Claim 23 is similar in scope to that of claim 10, and is therefore rejected under similar rationale.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1,3-14,16-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN F. PITARO whose telephone number is (571)272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. F. P./  
Examiner, Art Unit 2174

/David A Wiley/  
Supervisory Patent Examiner, Art Unit 2174

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